

Exhibit 5

From: Devine, Timothy
Sent: Thursday, December 15, 2011 2:43 AM
To: Hamzehpour, Tammy
Cc: Solomon, William Legal; Hagens, David; Ruckdaschel, John
Subject: FW: Confi and Tolling Agreement

Pursuant to our plan, I will reach out to Kathy Patrick by email letting her know that Tammy has forwarded me the correspondence and asked me to follow up. First step: requesting confirmation of her representation by clients. Tim

Timothy A. Devine
Chief Counsel - Litigation
Ally Financial Inc. Legal Staff
200 Renaissance Center
M/C: 482-B09-B11
Detroit, MI 48265
(313) 656-3477

From: Hamzehpour, Tammy
Sent: Wednesday, December 07, 2011 12:53 PM
To: Devine, Timothy; Hagens, David; Ruckdaschel, John
Subject: FW: Confi and Tolling Agreement

fyi

From: David Sheeren [mailto:dsheeren@gibbsbruns.com]
Sent: Wednesday, December 07, 2011 11:24 AM
To: Hamzehpour, Tammy
Cc: Kathy D. Patrick; Scott A. Humphries
Subject: Confi and Tolling Agreement

Tammy,

Attached for your review, please find a draft Confidentiality Agreement and a draft Tolling Agreement.

Best regards,
David

David Sheeren
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